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PTO/SB/30 (10/2001)

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**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Address to:
Commissioner for Patents
Box RCE
Washington, DC 20231

Application Number	09/230,623
Filing Date	June 14, 1999
First Named Inventor	May et al.
Art Unit	1761
Examiner Name	S. Weinstein
Attorney Docket Number	112701-029

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8,

1. **Submission required under 37 CFR §1.114**

a. ☒ Previously submitted

i. ☒ Consider the amendment(s)/reply under 37 CFR §1.116 previously filed on January 31, 2002
(Any unentered amendment(s) referred to above will be entered).

ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

iii. ☐ Other _____

b. ☒ Enclosed

i. ☒ Amendment/Reply

iii. ☐ Information Disclosure Statement (IDS)

ii. ☐ Affidavit(s)/Declaration(s)

iv. ☐ Other _____

2. **Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR §1.103(c) for a period of _____ months (Period of suspension shall not exceed 3 months; Fee under 37 CFR §1.17(i) required)

b. ☐ Other _____

3. **Fees** The RCE fee under 37 CFR §1.17(e) is required by 37 CFR §1.114 when the RCE is filed.

a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 02-1818

i. ☐ RCE fee required under 37 CFR §1.17(e)

ii. ☐ Extension of time fee (37 CFR §§1.136 and 1.17)

iii. ☐ Other _____

b. ☒ Check in the amount of \$ 740.00 enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print / Type)

Robert M. Barrett

Registration No. (Attorney / Agent)

30,142

Signature

Date

April 10, 2002

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark

Name (Print / Type)

Robert M. Barrett

Signature

Date

April 10, 2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Assistant Commissioner for Patents, Box RCE, Washington, DC 20231.

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TC-1700

TRANSMITTAL LETTER
(General - Patent Pending)Docket No.
0112701-029

In Re Application Of: May et al.

Serial No.
09/230,623Filing Date
June 14, 1999Examiner
S. WeinsteinGroup Art Unit
1761

Title:

MULTI-LAYERED CANNED PET FOOD

O I P E
APR 27 2002
PATENT & TRADEMARK

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Transmitted herewith is:

Transmittal Letter (General - Patent Pending); Response to Final Office Action (12 pages) and Postcard Return Receipt.

in the above identified application.

- ☒ No additional fee is required.
- ☐ A check in the amount of _____ is attached.
- ☒ The Assistant Commissioner is hereby authorized to charge and credit Deposit Account No. 02-1818 as described below. A duplicate copy of this sheet is enclosed.
- ☐ Charge the amount of _____
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.

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Dated: January 31, 2002

Signature

Robert M. Barrett (Reg. No. 30,142)
BELL, BOYD & LLOYD LLC
P. O. Box 1135
Chicago, Illinois 60690

I certify that this document and fee is being deposited
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20231.

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Renee Street

Typed or Printed Name of Person Mailing Correspondence

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): May et al.
Appl. No.: 09/230,623
Filed: June 14, 1999
Title: MULTI-LAYERED CANNED PET FOOD
Art Unit: 1761
Examiner: S. Weinstein
Docket No.: 112701-029

Commissioner for Patents
Washington, DC 20231

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MAY 01 2002

10 1700

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05-02-02
AW
#
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RESPONSE TO FINAL OFFICE ACTION

Sir:

Please enter the following Response in the above-identified patent application:

In the Specification:

Please replace the paragraph beginning at page 7, line 10, with the following rewritten paragraph:

B1

Alternatively, the substantially solid foodstuff may be cooked rice or noodles, or both. In this case, the settable foodstuff may be freshly cooked rice or noodles. Upon cooling, the freshly cooked rice or noodles form a substantially solid layer. If desired, suitable gelling or thickening agents, for example gums such as kappa-carrageenan, locust bean gum, guar gum and xanthan gum may be added to the rice or noodles. Usually no more than about 2% by weight of gelling or thickening agent is needed.

Please replace the paragraph beginning at page 7, line 21, with the following rewritten paragraph:

B2

Alternatively, the substantially sold foodstuff may be an aspic; for example an aspic which contains cooked vegetable pieces. The aspic may be prepared as is conventional. Additional ingredients such as sugars, salts, spices, seasoning, flavoring agents, minerals, and the like may also be added to aspic. The amount of additional ingredients used is preferably such that they make up about 0.25% to about 5% by weight of the aspic.